



Entered on Docket  
May 18, 2010

A handwritten signature in dark ink, appearing to read "Linda B. Riegle".

Hon. Linda B. Riegle  
United States Bankruptcy Judge

WILDE & ASSOCIATES  
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MorEquity, Inc.  
09-77732 / 0003816051

**UNITED STATES BANKRUPTCY COURT**  
**DISTRICT OF NEVADA**

In Re:  
  
Randy M. Whiton and Veronica A. Whiton

BK-S-08-22176-lbr

MS Motion No.  
Date:  
Time:

Chapter 13

Debtors.

**ORDER RE ADEQUATE PROTECTION**

Secured Creditor's Motion for Relief from the Automatic Stay having come on for hearing in the above-entitled Court, all appearances as noted on court record, and based upon all the papers and pleadings on file herein and good cause appearing therefore,

1 IT IS HEREBY ORDERED, ADJUDGED and DECREED that the debtors will cure the  
2 post-petition arrearages currently due as follows:

|                                     |            |
|-------------------------------------|------------|
| 3 5 Monthly Payments at \$1,551.13  | \$7,755.65 |
| (September 1, 2009 - March 1, 2010) |            |
| 4 Motion for Relief Filing Fee      | \$150.00   |
| 5 Attorneys Fees                    | \$750.00   |
| Suspense Amount                     | (\$648.87) |
| 6 Total                             | \$8,006.78 |

7  
8 The total arrearage shall be paid in six monthly installments. Payments one  
9 through five (1-5) in the amount of \$1,334.47 shall be in addition to the regular monthly payment  
10 and shall be due on or before the 20th day of the month commencing with the April 20, 2010  
11 payment and continuing throughout and concluding on or before August 20, 2010. The sixth  
12 final payment in the amount of \$1,334.43 shall be paid on or before September 20, 2010.

13 IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Secured Creditor  
14 shall give Debtors at least five business days' notice of the time, place and date of sale.

15 IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Debtors shall resume  
16 and maintain the regular monthly payments in a timely fashion, outside of any Bankruptcy Plan,  
17 beginning with the April 1, 2010, payment, on Secured Creditor's Trust obligation, encumbering  
18 the subject Property, generally described as 6425 W. Eldorado Ln. , Las Vegas, NV 89139, and  
19 legally described as follows:

20 Lot One hundred forty-Zeven (147) in Block B of Eldorado Pines-Unit 1 as shown by map  
21 thereof on file in Book 102 of Plats, Page 78 in the Office of the County Recorder, Clark  
County, Nevada and amended by Certificate of Amendment recorded January 7, 2002 in  
Book 20020107 as Document No. 905.

22 IT IS FURTHER ORDERED, ADJUDGED and DECREED that if the Debtors fail to make  
23 any payments as stated in this Order, or fail to maintain the regular monthly payments on Secured  
24 Creditor's Trust Deed obligation, allowing the normal grace period, then Secured Creditor may file  
25 and serve upon Debtors and Debtors' counsel, a fifteen (15) Day Notice Declaration Re Breach of  
26 Condition. For each such Declaration Re Breach of Condition filed, there shall be assessed an  
attorney fees of \$100.00, to be paid by the Debtors upon any reinstatement. If upon the sixteenth  
(16th) day Debtors have failed to cure the delinquency, then Secured Creditor may submit to this  
Court an Order vacating the automatic stay as to Secured Creditor, and Secured Creditor may

thereafter proceed with foreclosure proceedings upon the subject Property, pursuant to applicable State Law, and take any action necessary to obtain complete possession thereof.

Submitted by:

WILDE & ASSOCIATES

By

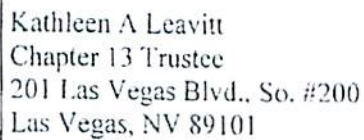
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GREGORY L. WILDE, ESQ.  
Attorneys for Secured Creditor  
212 South Jones Boulevard  
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APPROVED AS TO FORM & CONTENT:

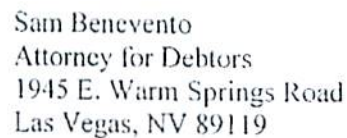
Kathleen A Leavitt

By

  
Kathleen A Leavitt  
Chapter 13 Trustee  
201 Las Vegas Blvd., So. #200  
Las Vegas, NV 89101

Sam Benevento

By

  
Sam Benevento  
Attorney for Debtors  
1945 E. Warm Springs Road  
Las Vegas, NV 89119

Nevada Bar No.

3676

1 In accordance with Local Rule 9021, the undersigned counsel certifies as follows (check one):

2 ☐ The court waived the requirements of LR 9021.

3 ☐ No parties appeared or filed written objections, and there is no trustee appointed in the case.

4 ☐ No parties appeared or filed written objections, and the trustee is the movant.

5 ☒ This is a chapter 7 or 13 case, and either with the motion, or at the hearing, I have delivered a  
6 copy of this proposed order to all counsel who appeared at the hearing, and any trustee  
7 appointed in this case, any unrepresented parties who appeared at the hearing, and each has  
8 approved or disapproved the order, or failed to respond, as indicated below:

9 Debtor's counsel:

10 ☒ approved the form of this order ☐ disapproved the form of this order

11 ☐ waived the right to review the order and/or ☐ failed to respond to the document

12 ☐ appeared at the hearing, waived the right to review the order

13 ☐ matter unopposed, did not appear at the hearing, waived the right to review the order

14 Trustee:

15 ☒ approved the form of this order ☐ disapproved the form of this order

16 ☐ waived the right to review the order and/or ☐ failed to respond to the document

17 ☐ This is a chapter 9, 11, or 15 case, and I have delivered a copy of this proposed order to all  
18 counsel who appeared at the hearing, and any trustee appointed in this case any unrepresented  
19 parties who appeared at the hearing, and each has approved or disapproved the order, or failed to  
20 respond, as indicated below.

21 Debtor's counsel:

22 ☐ approved the form of this order ☐ disapproved the form of this order

23 ☐ waived the right to review the order and/or ☐ failed to respond to the document

24 ☐ appeared at the hearing, waived the right to review the order

25 ☐ matter unopposed, did not appear at the hearing, waived the right to review the order

26 Trustee:

☐ approved the form of this order ☐ disapproved the form of this order

☐ waived the right to review the order and/or ☐ failed to respond to the document

☐ I certify that I have served a copy of this order with the motion, and no parties appeared or filed  
written objection.

Submitted by:

/s/ Gregory L. Wilde, Esq.

Gregory L. Wilde, Esq.

Attorney for Secured Creditor